

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN RE MUTUAL FUNDS INVESTMENT
LITIGATION

This Document Relates To:
In re Invesco
04-md-15864-04

MDL 1586
Case No. 04-MD-15864
(Judge J. Frederick Motz)

RICHARD LEPERA, Individually and On
Behalf of All Others Similarly Situated

Plaintiff,

v.

INVESCO FUNDS GROUP, INC., et al.,

Defendants.

Case No. 04-cv-00814-JFM

[PROPOSED] INVESTOR CLASS ORDER

For the reasons stated in the Court's November 3, 2005 letter memorandum and implementing instructions and the Investor Class Opinion and Order in the *Janus* sub-track, it is, this ____ day of _____ 200__

ORDERED

1. All claims against Defendants AIM Combination Stock & Bonds Funds, AIM Mutual Funds (a/k/a AIM International Mutual Funds), AIM Sector Funds, AIM Stock Funds and AIM Treasurer's Series Trust are dismissed without leave to amend;

2. The motions filed by Defendants Amvescap, PLC, Invesco Funds Group, Inc., Invesco Distributors, Inc., Invesco Institutional (N.A.), Inc., Invesco Assets Management Limited, Invesco Global Assets Management (N.A.), Mark Williamson ("Williamson"),

Michael D. Legoski, Michael K. Brugman, Raymond R. Cunningham (“Cunningham”), Thomas A. Kolbe and Timothy J. Miller are:

- a) Denied as to all claims under the Exchange Act of 1934;
- b) Granted as to all claims under the Securities Act of 1933 without leave to amend;
- c) Granted as to claims under Sections 34(b) and 36(a) of the Investment Company Act (“ICA”) and the related claims under Section 48(a) of the ICA without leave to amend;
- d) (1) Denied as to claims under Section 36(b) of the ICA as against Defendant Invesco Funds Group, Inc.;
- (2) Denied without prejudice as to claims under Section 48(a) of the ICA related to claims under Section 36(b) of the ICA as against Defendants Amvescap, PLC, Invesco Funds Group, Inc., Cunningham and Williamson;
- e) Granted as to state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel;

3. The motions filed by Defendants AIM Advisors, Inc., AIM Distributors, Inc., and AIM Investment Services, Inc. (the “AIM defendants”) are:

- a) Granted as to all claims under the Securities Act of 1933 without leave to amend;

b) Granted as to claims under Sections 34(b) and 36(a) of the Investment Company Act and the related claims under Section 48(a) of the ICA without leave to amend;

c) Granted as to state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel;

d) Deferred as to all other claims not being dismissed;

4. The action is stayed as against:

a) Defendants Edward J. Stern, Canary Capital Partners, LLC, Canary Investment Management, LLC, and Canary Capital Partners, Ltd. (the “Canary Defendants”) pursuant to the Court’s December 8, 2004 Order;

b) Defendant Theodore C. Sihpol, III, pursuant to the Court’s March 3, 2005 Order;

5. Motions filed by Defendants Bear Stearns Securities Corporation, Bear Stearns & Co., Inc., Banc of America Securities LLC, Security Trust Company, N.A., and Grant D. Seeger are:

a) Denied as to claims under the Exchange Act of 1934;

b) Granted as to state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel;

6. The motion filed by Bank of America Corporation is:

a) Deferred as to claims under the Exchange Act of 1934;

b) Granted as to state law claims but, if Bank of America Corporation is

held to be a proper defendant, then plaintiffs are granted leave to amend the consolidated amended class action complaint within a deadline to be set after conferring with counsel;

and

7. All claims are dismissed against Defendants ANB Consulting, LLC, Anna Brugman, Canadian Imperial Bank of Commerce, Charles Schwab & Co., Citigroup Global Markets Holdings Inc., Citigroup, Inc., Credit Suisse First Boston (USA) Inc., Ryan Goldberg, Michael Grady, JB Oxford Holdings, Inc., JP Morgan Chase and Co., Kaplan & Co. Securities Inc., Kraig L. Kibble, James G. Lewis, James Y. Lin, Morgan Stanley DW, National Clearing Corporation, Prudential Financial, Inc., Prudential Securities, Inc., and Salomon Smith Barney, Inc. (d/b/a Smith Barney Asset Management):

- a) without leave to amend as to all claims under federal law,
- b) but plaintiffs are granted leave to amend second consolidated complaints for their claims under state law (Counts XI-XIII) within a deadline to be set after conferring with counsel.

J. Frederick Motz
United States District Judge